



*The Commonwealth of Massachusetts  
Center for Health Information and Analysis*

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## NOTICE OF PUBLIC COMMENT PERIOD

Pursuant to the provisions of M.G.L. c. 12C and in accordance with M.G.L. c. 30A, as amended, the Center for Health Information and Analysis ("Center") will hold a public comment period until December 16, 2013, relative to the proposal of a fee schedule established pursuant to regulation:

### 957 CMR 5.00: Health Care Claims, Case Mix and Charge Data Release Procedures

The Center has issued Administrative Bulletin 13-09, effective December 27, 2013, to report the fees established for Hospital Case Mix and Charge Data ("Case Mix and Charge Data") and related application and support fees. The established fees reflect the cost of systems analysis, program development, computer production, vendors' fees, consulting services and other costs related to the production of the requested data.

The proposed Case Mix and Charge Data fees, fee categories, and production/support fees remain largely unchanged from those currently in effect, however, the proposed application fees are new. The proposed fees are based upon four factors: (1) the type of data elements requested (Level 1 / Level 2 and above); (2) the type and number of data files requested (inpatient; outpatient and/or emergency); (3) the category of use for the requested data; and (4) the number of extracts and/or years of data requested. An applicant requesting Case Mix and Charge Data must remit the application fee with the application and, if such application is approved, the applicant must remit the established fee prior to the release of the requested data and also enter a data use agreement. The Center will charge fees for the highest applicable category of use where an applicant's data request and stated use involve one or more categories. The Center may reduce or waive the applicable fees for qualified applicants. Further, the waiver process is now more clearly delineated and the criteria for a waiver have been expanded beyond those currently in effect.

The Center is proposing these changes to promote consistency with its health care data release procedures, conformity with applicable regulatory provisions, and the continuity of prompt and timely release of health care data for health care policy analysis where such access serves the public interest while the privacy rights of data subjects are safeguarded. The fiscal impact on applicants will depend upon the type, mix and quantity of requested data, the category of use for such data, and the number of extracts and/or years of data requested.

Individuals may submit written testimony by emailing [CHIA-Regulations@state.ma.us](mailto:CHIA-Regulations@state.ma.us). Please submit electronic testimony as an attached Word document or as text within the body of the email with the name of the regulation in the subject line. All submissions must include the sender's full name and address. Individuals who are unable to submit testimony by email should mail written testimony to the Center for Health Information and Analysis, Two Boylston Street, Boston, MA 02116-4704. Written testimony must be submitted by 5:00 P.M. on Monday, December 16, 2013. Copies of the fee schedule and related regulation are available for inspection and/or purchase at the Center for Health Information and Analysis or may be viewed at the Center's website at [www.mass.gov/chia/regulations](http://www.mass.gov/chia/regulations).